

### **REMARKS**

Claims 2-32 are pending in the above-identified application. Claims 2-32 were rejected. With this Amendment, claims 2, 16, and 18 were amended. Accordingly, claims 2-32 remain at issue in the above-identified application.

#### **I. 35 U.S.C. § 102 Anticipation Rejection of Claims**

Claims 2-12, 14, 15-27, 29-32 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Hofstetter et al. (U.S. Patent No. 6,136,623). Applicant respectfully traverses this rejection.

Claim 2, as amended, is directed to a semiconductor light emitting device comprising a supporting base, a first semiconductor light emitting element, and a second semiconductor light emitting element. The first semiconductor light emitting element comprises a first substrate and an electrode. The first semiconductor light emitting element is provided on one face of the supporting base, and the electrode is electrically connected to the first substrate. The second semiconductor light emitting element is stacked on the first light emitting element, and is provided on a side of the first light emitting element facing away from the supporting base. The second semiconductor light emitting element comprises a second substrate, a first lasing portion and a second lasing portion. The first lasing portion includes a first lasing electrode electrically isolated from the first substrate. The second lasing portion includes a second lasing electrode electrically connected to the electrode.

Hofstetter et al. is directed to a multiple wavelength laser array structure fabricated by flip-chip bonding from laser structures on two different substrates. As depicted in Figures 6-8, Hofstetter et al. does not disclose or suggest the structure required by claim 2 (i.e., the second

lasing electrode electrically connected to the electrode that is electrically connected to the first substrate while the first lasing electrode is electrically isolated from the first substrate). Accordingly, claim 2 and all claims that ultimately depend from claim 2 are allowable over Hofstetter et al.

For reasons similar to those discussed above with regard to Claim 2, Applicant respectfully submits that independent Claims 16 and 18, and all claims that ultimately depend from claims 16 and 18 are also allowable over Hofstetter et al. Accordingly, Applicant respectfully requests withdrawal of this rejection.

## **II. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 13 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hofstetter et al. (U.S. Patent No. 6,136,623) in view of Kukimoto et al. (U.S. Patent No. 5,140,385). Applicant respectfully traverses this rejection.

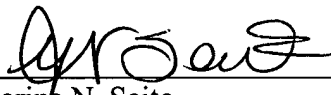
As discussed above, Hofstetter et al. does not disclose or suggest the structure required by claims 2 or 18 (i.e., the second lasing electrode electrically connected to the electrode that is electrically connected to the first substrate while the first lasing electrode is electrically isolated from the first substrate). Thus, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to use the semiconductor layer of Kukimoto in the device of Hofstetter for the purpose of emitting blue or green light to derive claims 13 and 28, which depend from claims 2 and 18, respectively. Accordingly, Applicant respectfully requests withdrawal of this rejection.

**III. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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